

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LACHANCE L. THOMAS,

Petitioner,

v.

T. ALLEN,

Respondent.

Case No. 1:23-cv-00690-EPG-HC

ORDER TO SHOW CAUSE WHY STAY
SHOULD NOT BE VACATED

Petitioner Lachance L. Thomas is a state prisoner proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On November 8, 2023, the Court stayed the federal habeas proceedings pending exhaustion of state remedies and ordered Petitioner to file an initial status report within thirty days of the date of service of the order and every ninety days thereafter. (ECF No. 20.) As over ninety days had passed without a subsequent status report, this Court ordered Petitioner to show cause why the stay should not be vacated on April 5, 2024. (ECF No. 22.) On April 24, 2024, Petitioner filed a response to the order to show cause and informed the Court of the status of his state court proceedings. (ECF No. 23.) On May 6, 2024, the Court discharged the order to show cause and ordered that Petitioner file a status report within ninety days and every ninety days thereafter. (ECF No. 24.)

Over ninety days have passed, and Petitioner has not filed a subsequent status report. Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these Rules or

1 with any order of the Court may be grounds for imposition by the Court of any and all sanctions
2 authorized by statute or Rule or within the inherent power of the Court.” The Court previously
3 notified Petitioner that failure to comply with the Court’s order would result in the Court
4 vacating the stay. (ECF No. 20 at 2.)

5 Accordingly, IT IS HEREBY ORDERED that within FOURTEEN (14) days of the date
6 of service of this order, Petitioner shall show cause why the stay should not be vacated for failure
7 to obey the Court’s order.

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9 IT IS SO ORDERED.

10 Dated: August 21, 2024

11 /s/ Eric P. Grogan
12 UNITED STATES MAGISTRATE JUDGE
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